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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,863	08/20/2003	Kazumi Koike	8012-1206	5197
466	7590	11/15/2005	EXAMINER	
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			BLACKMAN, ROCHELLE ANN J	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/643,863

Applicant(s)

KOIKE, KAZUMI

Examiner

Rochelle Blackman

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11 and 12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 4 and 8 is/are allowed.
6) ☒ Claim(s) 1-3, 5, 7, 11 and 12 is/are rejected.
7) ☒ Claim(s) 6 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 8/20/03 & 9/6/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-8, 11, and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

Claim 6 is objected to because of the following informalities: On line 8 of the claim, - is- - should be between "W" and "width". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 11, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris et al. (U.S. Patent No. 5,453,804) in view of Kamata et al. (U.S. Patent No. 6,249,652).

Norris discloses a lens-fitted photo film unit (see Figs. 1-22) comprising: a taking lens (see 22 of FIG. 2); a plane mirror (see 24 of FIG. 2) for perpendicularly bending a photographic optical path of subject light passing through said taking lens; and a photo film (see area of 26 in FIG. 2 and see 26 and 46 of FIG. 3) disposed approximately in

parallel with an optical axis of said taking lens, said photo film having a base surface and an emulsion surface (although not specifically shown, "photo film" 46 is considered to have a base and emulsion surface), said subject light forming an image (image is formed on film through opening 18 in FIG. 2) on said emulsion surface.

Norris does not appear to disclose "a side print being recorded as a latent image on the edge of said photo film in such a manner as to flip vertically or horizontally in view of the side of said base surface; wherein the side print comprises at least one character oriented so as to be viewed correctly from the emulsion side of the photo film"; "wherein the side print comprises at least one alpha-numeric character"; and "wherein the at least one alpha-numeric character comprises a letter and number that identify a manufacturer of the film."

Kamata teaches providing a side print (for example, see 126 and 127 of FIG. 10A and col. 13, line 51 to col. 14, line 6) being recorded as a latent image on the edge of a photo film (see 118 of FIGS. 10A-C) in such a manner as to flip vertically or horizontally in view of the side of said base surface; wherein the side print comprises at least one alpha-numeric character (see 126 and 127 in FIG. 10A); and wherein the at least one alpha-numeric character comprise a letter and number that identify a manufacturer of the film (see 126 and 127 in FIG. 10A).

It would have been obvious to one of ordinary skill in the art at the time invention was made to provide a "a side print being recorded as a latent image on the edge of said photo film in such a manner as to flip vertically or horizontally in view of the side of said base surface" in the "lens-fitted photo film unit" of the Norris reference, as taught by

Kamata for the purpose of providing photo film that can be subjected to printing in extended variety of printing service without high cost (see col. 2, lines 28-31).

2. Claims 2 and 3 rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. over Norris et al. (U.S. Patent No. 5,453,804) in view of Kamata et al. (U.S. Patent No. 6,249,652) as applied to claim 1 above, and further in view of Abe (U.S. Patent No. 6,388,738).

Norris and Kamata disclose the claimed invention except for "wherein said viewfinder comprises: an objective lens element with negative refractive power; a first eyepiece lens element; and a second eyepiece lens element; and wherein said viewfinder satisfies the following formula: $P1 > |P2|$ Wherein P1 is the refractive power of said first eyepiece lens element, and P2 is the refractive power of said second eyepiece lens element".

Abe teaches providing a viewfinder comprising: an objective lens element with negative refractive power (23); a first eyepiece lens element (25); and a second eyepiece lens element (26); and wherein said viewfinder satisfies the following formula: $P1 > |P2|$ Wherein P1 is the refractive power of said first eyepiece lens element (see 25 – considered to satisfy the "formula" because it is a biconvex lens), and P2 is the refractive power of said second eyepiece lens element (see 26 - also considered to satisfy the "formula" because it is a planoconvex lens).

It would have been obvious to one of ordinary skill in the art at the time invention was made to provide the "viewfinder" of the "lens-fitted photo film unit" of the combined Norris and Kamata reference with a "objective lens element", "first eyepiece lens

element", and "second eyepiece lens element" like that of the Abe reference, in order to provide a viewfinder through which a bright and clear field frame image can be viewed and reduce the thickness of the filed frame optical system (see col. 2, line 67 to col. 3, line 6).

3. Claims 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Norris et al. (U.S. Patent No. 5,453,804) in view of Kamata et al. (U.S. Patent No. 6,249,652) and Abe (U.S. Patent No. 6,388,738) as applied to claim 2 above, and further in view of Tobiyo et al. (JP Patent No. 09-197490).

Norris, Kamata, and Abe disclose the claimed invention except for "a target mark formed in the pupil side surface of said first eyepiece lens element; and a micro lens disposed in the pupil side surface of said second eyepiece lens element; wherein said target mark enlarged by said micro lens appears in the field of view of said viewfinder; wherein said target mark is in a ring-shape form and in approximately the center of the pupil side surface of said second eyepiece lens element".

Tobiyo teaches providing a "target mark" (40a, 60a, 65a, 67a) integrally formed on an eyepiece side of lens 40; and a "micro lens" (41a) integrally formed on the eyepiece side of the eyepiece 41; "wherein said target mark enlarged by said micro lens appears in the field of view of said viewfinder"(see 51, 61, 66, and 68 of Drawings 5, 9, 11, and 13); "wherein said target mark is in a ring-shape form" (see shape of 40a and 60a) and "in approximately the center of the pupil side surface" of lens 40.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to form a "target mark" on "pupil side surface" of the "first lens

element" with a "target mark" and dispose a "micro lens" in the "pupil side surface" of the "second lens element" of the "viewfinder" of the combined Norris, Kamata, and Abe reference, as taught by Tobiyo in order to obtain commendable photographing distance capable of holding an entire image inside a photographing range (see abstract).

Allowable Subject Matter

1. Claims 4 and 8 are allowed
2. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
3. The following is a statement of reasons for the indication of allowable subject matter:

Claim 4 has been found to be allowable because the prior art of record either alone or in combination neither discloses nor makes obvious the particular feature, "said viewfinder satisfies the following formula: $W > 26$ Wherein W is the width of said viewfinder" in combination with the other particular combination of features recited in the claim.

Claim 6, with the assumption that W is the width of the viewfinder as defined in the specification, has been found to be allowable because the prior art of record either alone or in combination neither discloses nor makes obvious the particular feature "said viewfinder satisfies the following formula: $0.2 < L/W < 0.7$ wherein L is the length between the pupil side surface of said objective lens element and the objective side surface of

said first eyepiece lens element; and W width of viewfinder", in combination with the particular combination of features recited in claims 1, 2, and 5.

Claim 8 has been found to be allowable because the prior art of record either alone or in combination neither discloses nor makes obvious the particular feature, "said viewfinder is movable between an unused position and a used position, and when said viewfinder is in said unused position, said viewfinder is disposed at the rear of said flash projector so that the field of view of said viewfinder is obstructed by said flash projector, and when said viewfinder is in said used position, said viewfinder pops up from the rear of said flash projector so that said flash projector retracts from the field of view of said viewfinder" in combination with the other particular combination of features recited in claim.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakamura (U.S. Patent No. 5,968,719), Photo Filmstrip and Side Printing Method for the Same.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rochelle Blackman whose telephone number is (571) 272-2113. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RB

William Perkey
Primary Examiner